

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: EDWARD J. LOGUE, DEVELOPMENT ADMINISTRATOR

SUBJECT: Land Acquisition Procedures for the Downtown Waterfront-Faneuil Hall Urban Renewal Area

It is recommended that acquisition of properties in the Downtown Waterfront-Faneuil Hall Renewal Area be staged.

A staged acquisition program can provide a number of benefits:-

1. Minimizing hardship to individual property owners.
2. Reducing the burden and costs to the Authority of property management.
3. Maximizing tax income to the City during execution.

Staging does, however, pose certain problems:-

1. Hardship for property owners scheduled for late stage acquisition.
2. Hardship for tenants in property scheduled for late-stage acquisition who desire to relocate early and are under lease.

Staging in the Waterfront Project should be geared as closely as possible to a realistic schedule for construction of public improvements and private development.

To provide for orderly execution of project activities, the attached Land Acquisition Staging and Development Plan is recommended to the Authority for adoption.

To implement the acquisition staging and to mitigate hardship to property owners and tenants, the following policies are recommended:

1. Authorize the Real Estate Officer or those designated by him, subject to the approval of the General Counsel, to negotiate with property owners, settle and purchase properties in accordance with the acquisition staging plan adopted by the Authority; provided that the settlement price approved for such property by the Urban Renewal Administration is not exceeded.

2. Authorize negotiations leading to the purchase of property earlier than scheduled when an owner so requests the Authority in writing.

3. Authorize negotiations leading to the purchase of property earlier than scheduled when a tenant notifies the Authority in writing and substantiates the following conditions:-

- a. He desires to relocate (or liquidate);
- b. He has a definite new location for his business;
- c. He has a binding lease at his present location;
- d. He may lose his eligibility for a relocation payment if the vacated property is subsequently re-rented to a party who may claim a relocation payment as a result of B. R. A. displacement.
- e. He will suffer a hardship by virtue of the above conditions.

4. In the case of early negotiation under items 2 and 3 above, if the property owner and the Authority cannot reach an agreement as to price within a reasonable period of time, the Authority will exercise the power of eminent domain and make a prompt pro tanto payment.

5. Authorize the Real Estate Officer and the Business Relocation Officer to send the attached letters to each property owner and tenant indicating the approximate date when the property will be acquired and advising of the Authority's acquisition policy, and of their right to request that their property be taken immediately if they so desire.

6. Direct the Boston Redevelopment Authority staff and negotiators promptly to follow up requests for negotiation and to settle all claims on the basis of the general land acquisition policies adopted by the Authority.

7. At the end of each staging period, all properties not acquired by negotiation will be acquired by an eminent domain taking.

8. Scheduled acquisition may be changed at any time by the Authority where hazardous conditions are found to exist or where the redevelopment needs of the project or the public interest so dictate.

A suggested vote is attached.

FORM LETTER TO PROPERTY OWNERS

BOSTON REDEVELOPMENT AUTHORITY

73 Tremont Street
Boston, Massachusetts

Date: _____

Dear _____:

To implement the \$100 million redevelopment program for the Downtown Waterfront-Faneuil Hall Urban Renewal Area, it will be necessary for the Boston Redevelopment Authority to acquire approximately 200 properties.

Rather than acquire the properties at one time, the Authority has voted to schedule or "stage" that acquisition at regular intervals between the last quarter of 1964 and the last quarter of 1967.

Under the terms of the acquisition staging plan that the Authority has adopted, the property which you own at _____ is scheduled to be acquired either by negotiation or by eminent domain taking in the six-month period from _____, 1964 to _____, 1964.

During this period, a representative of the Authority will contact you personally to negotiate the purchase of your property. The value of the property and the amount of the settlement will be determined in accordance with the provisions of State and Federal law regulations. If agreement cannot be reached on the value of your property, the Authority will acquire it by exercising the power of eminent domain in order that a "pro tanto" payment may be made to you by the Authority. The "pro tanto" payment will not affect your right to seek additional compensation by petitioning the Superior Court of the Commonwealth for an assessment of damages.

In order to relieve any hardship which you, as a property owner, may stand to suffer as a result of the scheduled acquisition, the Authority is ready to acquire your property by negotiation or by an eminent domain taking now or at any time prior to the date shown above if you make such a request to the Authority in writing.

It should be noted that "staged" acquisition can result in problems for tenants. To alleviate problems, the Authority has voted to acquire property earlier than scheduled if a tenant notifies the Authority in writing and substantiates the following:

1. He desires to relocate (or liquidate);
2. He has a definite new location for his businesses;
3. He has a binding lease at his present location;
4. He may lose his eligibility for a relocation payment if the vacated property is subsequently re-rented to a party who may claim a relocation payment as a result of B. R. A. displacement.
5. He will suffer a hardship by virtue of the above conditions

This policy is being made known to all tenants in the area who face relocation as a result of project activities.

It should be understood that the scheduled acquisition program is sufficiently flexible so that, irrespective of the date indicated above, the Authority may vote to acquire at an earlier time any property on which there are situated hazardous buildings, selected properties required to accelerate or to insure the successful redevelopment of the area.

If you feel your property should be acquired for reasons of hardship in advance of the date shown above, or if you have any questions pertaining to the acquisition of your property, please write to me at 73 Tremont Street Boston, Massachusetts.

Sincerely yours,

Robert E. McGovern
Real Estate Officer

FORM LETTER TO TENANTS :

BOSTON REDEVELOPMENT AUTHORITY

73 Tremont Street
Boston, Massachusetts

Date _____

Dear _____:

To implement the \$100 million redevelopment program for the Downtown Waterfront-Faneuil Hall Urban Renewal Area, it will be necessary for the Boston Redevelopment Authority to acquire approximately 200 properties with as many as 650 businesses which may have to be relocated.

Rather than acquire these properties at one time, the Authority has voted to schedule or "stage" the acquisition at regular intervals between the last quarter of 1964 and the last quarter of 1967.

Under the terms of the acquisition staging plan that the Authority has adopted, the property in which you are a tenant at _____ is scheduled to be acquired by the Authority during the six-month period from _____ 196_, to _____, 196_.

Upon acquisition of the property, the Authority's Business Relocation Staff will make every effort to help you relocate your business in a suitable location.

The Authority realizes that "staged" acquisition can constitute a problem for certain business firms.

As you already may know, a business that relocates from property acquired by the Authority is eligible for reimbursement of reasonable and necessary moving expenses (a relocation payment). However, a firm that moves before the property is acquired by the Authority may not be eligible for a relocation payment if the vacated space is re-rented to a tenant who later is displaced by the Authority and makes a claim for a relocation payment.

Recognizing its obligations to business firms presently in the Project Area, the Authority has adopted a policy whereby it will acquire property earlier than scheduled when a tenant notifies it in writing and substantiates the following:

1. He desires to relocate (or liquidate);
2. He has a definite new location for his business;
3. He has a binding lease at his present location;
4. He may lose his eligibility for a relocation payment if the property is subsequently re-rented to a party who may claim a relocation payment as a result of B.R.A. displacement.

5. He will suffer a hardship by virtue of the above conditions.

The owner of the property in which you are a tenant has been advised of this policy.

It should be understood that the scheduled acquisition program is sufficiently flexible so that, irrespective of the date indicated above, the Authority may vote to acquire at an earlier date the property in which you are now located.

If you feel that the scheduled acquisition date imposes a hardship on you, please write to me at the above address.

Sincerely yours,

Fred Troy
Business Relocation Officer

September 16, 1964

LAND ACQUISITION STAGING AND DEVELOPMENT PLAN
DOWNTOWN WATERFRONT-FANEUIL HALL PROJECT

STAGE I -- 4TH QUARTER 1964

| <u>Block</u> | <u>Parcel</u> | <u>Address</u> | <u>Site Designation</u> | <u>Reuse</u> |
|--------------|---------------|--------------------------|-------------------------|-----------------------------------------|
| 104 3/4 | 1 | Central Wharf | A-4 | Aquarium |
| 103 | 1 | 96-112 Commerce Street | A-6 | General Office & New Atlantic Avenue |
| | 2-4 | 107-123 So Market St | " | " |
| 102 | 1 & 3-8 | 298 and 284-230 State St | " | " |

Block 104 3/4 is presently used as a parking lot. The New England Aquarium Corporation has indicated it would be ready to acquire the site (A-4) and begin construction of an aquarium by March, 1965.

Blocks 103 and 102 make up the site for the proposed New England Telephone & Telegraph Company office building and also part of the right-of-way for the realigned Atlantic Avenue.

It is estimated that construction of the Telephone Company office building could get under way by March, 1966. The 18 month lead time (from September, 1964 to March, 1966) is necessary to provide for the relocation of 27 businesses, demolition of the structures and preparation of the site.

STAGE II - 2ND QUARTER 1965

| <u>Block</u> | <u>Parcel</u> | <u>Address</u> | <u>Site Designation</u> | <u>Reuse</u> |
|--------------|---------------|----------------------------------------------------|-------------------------|----------------------------------------|
| 212 | 1 | Bounded by India Street & Expressway & India Sq | D-5 | General Business & New Atlantic Ave |
| 211 | 1 | Bounded by Storer, Atlantic Avenue & Expressway | " | " |
| 210 | 1 | 299-303 Atlantic Avenue | " | " |
| | 2 | 2-4 Storer Street | " | " |
| | 3 | 293-295 Atlantic Avenue | " | " |

| <u>Block</u> | <u>Parcel</u> | <u>Address</u> | <u>Site Designation</u> | <u>Reuse</u> |
|--------------|----------------|-----------------------|-------------------------|---------------------------------------------|
| 209B | 1 | 291 Atlantic Avenue | A-3 | Garage and new Atlantic Avenue |
| | 2-3 | 78-68 India Street | " | " |
| | 4 | 11-17 Sears Street | " | " |
| | 5 | 229 Milk Street | " | " |
| | 6-9 | 245-287 Atlantic Ave. | " | " |
| 208B | 1-8 | 208-246 Milk Street | D-3 and A-3 | General Business office & new Atlantic Ave. |
| 207 | 1 (partial) | 130-132 Central St. | | New Atlantic Ave |
| | 2 | 118-128 Central St. | | " |
| 104½ | 1 | 114-148 Atlantic Ave. | A-8 | Marine Park |

Except for Block 104½, the acquisition of these properties is related to the construction of the realigned Atlantic Avenue

These are three factors influencing the time when work on New Atlantic Avenue could begin:

1. Removal and replacement by State Department of Public Works of the Clinton and State Street Expressway ramps. It is estimated that the work would be completed by June, 1966;
2. Permanent (into the new Government Center Police Station) or temporary relocation of the Milk Street Police Station. This should be accomplished by June, 1966;
3. Completion of the new wholesale food markets. This is expected by June, 1966.

It is necessary to have the right-of-way for Atlantic Avenue (between High Street, Block 211 and State Street, Block 207) cleared and available for construction by June, 1966. The 18-month period between January, 1965 and June, 1966, will provide sufficient time for relocation and demolition.

Block 104½ is the location of 14 ground-fish dealers who presumably will relocate to Union Wharf. It is expected that by the summer of 1965 there will be assurances of development of Union Wharf as a fish pier. Thus, acquisition of this property by the end of the second quarter of 1965 will enable the fish dealers and a developer to make definite commitments as to occupancy and development of Union Wharf.

STAGE III - 4TH QUARTER 1965

| <u>Block</u> | <u>Parcel</u> | <u>Address</u> | <u>Site Designation</u> | <u>Reuse</u> |
|--------------|---------------|-------------------------------------------------|-------------------------|-----------------------------------------------------------|
| 88 | 1 | 106-126 So. Market St. | D-1 & A-8 | General business, Marine Park & new Atlantic Avenue |
| 87 | 1 | 84-124 Clinton St | " | " |
| 86 | 1-9 | 71-117 Commercial St. | C-2 | Residential |
| 85 | 1-3 | 3-33 Richmond St. | D-1 | General Business |
| 81 | 1 & 18-23 | 126-172 Commercial St | C-2 | Residential |
| | 2-16 | 105-185 Fulton St. | " | " |
| 80 | 1 & 11-19 | 68-124 Commercial St | " | " |
| | 2-10 | 45-101 Fulton St. | " | " |
| 75 | 1 | 36-52 Fulton St. | " | " |
| | 2 | Bounded by Ferry St., Fulton & Cross Streets | " | " |
| 74 | 1-5 | 1-27 Ferry Street | " | " |
| | 6-9 | 1-8 Fulton Place | " | " |
| | 10-11 | 60-70 Fulton Street | " | " |
| 73 | 1-3 | 76-98 Richmond Street | " | " |
| 88A | 1-5 | 19-37 Commercial St. | | Commercial Street widening |

| <u>Block</u> | <u>Parcel</u> | <u>Address</u> | <u>Site Designation</u> | <u>Reuse</u> |
|--------------|---------------|-----------------------|-------------------------|----------------------------------------------|
| 103A | 1-2 | 24-32 Commerce Street | D-10 | General Office & Commercial S widening |
| | 3,4 | 3-11 Commercial St. | " | " |
| 102A | 1-8 | 172-204 State Street | " | " |
| 208A | 7-8 | 146-150 Milk Street | | India Street widening |
| 215 | 1-2 | 14-46 India Street | D-8 | Parking & India Street widening |
| 104½ | 1 (partial) | Long Wharf | | Public Open Space, (Long Wharf Plaz |

The third stage involves the following considerations:

1. Acquisition of food market properties in anticipation of new food market being completed and opened by June, 1966;
2. Demolition for remaining portion of Atlantic Avenue right-of-way after June, 1966, in order that road can be completed by December, 1966;
3. Acquisition preparatory to relocation of businesses and demolition of property necessary for widening of India-Commercial Street roadway. This roadway would be completed at the time that Atlantic Avenue is completed, December, 1966. Therefore, work must commence by January, 1966, leaving a minimum of 12 months for relocation and demolition.
4. Acquisition of Long Wharf so that public access to the water can be provided at an early date during the execution of the project.

STAGE IV - 2ND QUARTER 1966

| <u>Block</u> | <u>Parcel</u> | <u>Address</u> | <u>Site Designation</u> | <u>Reuse</u> |
|--------------|---------------|-------------------------------------------------|-------------------------|---------------------------------------|
| 85 | 4 & 5 | 119-171 Commercial Street | C-2 | Residential |
| 104½ | 2 & 3 | "T" Wharf | A-7 | Motor hotel |
| 105 | 1 | 44 Eastern Avenue | B-3 | Residential |
| | 3 | City Wharf | " | " |
| | 4 | 19-69 Eastern Avenue | " | " |
| | 8 (partial) | 377-395 Commercial Street | B-5 | Marine Park |
| 214 | 1 - 2 | 14-20 Well Street | D-7 | Parking & India Street widening |
| 217 | 1 | Corner of India Street & Custom House Street | | India Street widening |
| 83 | 2 | 43-63 Atlantic Avenue | | Lewis Street right-of-way |

By June, 1966, the new food markets will be open, and all local users of the Union Freight Railroad will have been relocated. This will enable the Authority to acquire the freight yards of the UFRR (Block 85, parcels 4 & 5).

Acquisition of other major properties that service the project area food markets (Quincy Cold Storage Plant, on Block 104½, Parcels 2 & 3 and Block 105, Parcel 4) will permit the Authority to program demolition for the last site in the central area (the motel on Long and "T" Wharves) and the Sargents Wharf housing area.

The small, but important, park near the Coast Guard Base could be provided by partial acquisition in Block 105, Parcel 8.

Acquisition of the property in Block 83 will permit the connection of Lewis Street to Atlantic Avenue.

STAGE V - 4TH QUARTER 1967

| <u>Block</u> | <u>Parcel</u> | <u>Address</u> | <u>Site Designation</u> | <u>Reuse</u> |
|--------------|---------------|---------------------------------------------------------|-------------------------|------------------|
| 104B | 2 (partial) | 400 Atlantic Avenue | | New Atlantic Ave |
| | 3 | Fosters Wharf | | " |
| | 4 | Rowes Wharf | | " |
| 100 | 1 & 11 | Chatham Row | E-3 | Public Park |
| 92 | 1 | Bounded by North Street, Clinton Street & Express ay | E-8 | Parking Garage |

This stage relates to two important areas:

1. Atlantic-Dorchester Avenue connection. It is estimated that work on this important roadway should be underway in 1968;
2. Faneuil Hall Market Area. By this time (18 months after opening of new food markets), rehabilitation activities in this area should be well advanced. Provision of the small park at State Street and Chatham Row and the parking garage at North and Clinton Streets will be important assets to the area.

STAGE VI - INDETERMINATE

The Urban Renewal Plan affords owners of certain properties an opportunity to submit proposals for the retention, rehabilitation or development of their properties in accordance with the controls and restrictions of the Plan. Letters are to be sent to all such property owners. It is not definitely known which property owners will agree to work with the Authority to rehabilitate or redevelop their properties. Accordingly, a schedule for acquisition should be prepared after determinations are made as to the properties that will be acquired

The properties are the following:

| <u>Block</u> | <u>Parcel</u> | <u>Address</u> | <u>Site Designation</u> | <u>Reuse</u> |
|--------------|---------------|------------------------|-------------------------|------------------|
| 207A | 1 - 3 | 197-185 State Street | D-2 | General business |
| 105 | 5 | Union Wharf | B-4 | Fish Pier |
| 105 | 2 | 52-58 Eastern Avenue | B-3 | Residential |
| 104½ | 1 (partial) | Long Wharf | A-7 | Motor Hotel |
| 104½ | 2 (partial) | Commercial Wharf | B-1 | Residential |
| 104 | 1 | Lewis Wharf | B-2 | Residential |
| 104B | 5 | India Wharf | A-2 | Residential |
| 101 | 1 | 4 Commercial Street | E-1 | General Business |
| 101 | 3 - 4 | 61-63 Chatham Street | E-2 | General Business |
| 100 | 5 - 7 | 7-21 Merchants Row | E-4 | General Business |
| 99 | 1 - 19 | 1-52 So. Market St. | E-5 | General Business |
| 91 | 21 - 10 | 1-28 No. Market St. | E-6 | General Business |
| 91 | 7 - 1 | 33-46 No. Market St. | E-7 | General Business |
| 84 | 1 | 81-85 Atlantic Avenue | C-2 | Residential |
| 83 | 1 | 65-69 Atlantic Avenue | C-2 | Residential |
| 82 | 1 | 221 Commercial Street | C-1 | Public Park |
| 48 | 3, 5, - 10 | 18, 24-46 North Street | E-9 | General Business |

